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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/805,395	03/13/2001	Harold E.A. Hansen II	16312-P001C1	7984

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Attention: Kelly K. Kordzik
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EXAMINER

CHOW, MING

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 02/26/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/805,395

Applicant(s)

HANSEN ET AL.

Examiner

Ming Chow

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 November 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6, 12, 18-20, 24-27, 58-61 and 69-83 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6, 12, 18-20, 24-27, 58-61 and 69-83 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Response to Amendment

The amendment to the claims filed on 11-17-03 does not comply with the requirements of 37 CFR 1.121(c) because claim 69 was currently amended but marked as “previously added”.

Amendments to the claims filed on or after July 30, 2003 must comply with 37 CFR 1.121(c) which states:

(c) *Claims*. Amendments to a claim must be made by rewriting the entire claim with all changes (e.g., additions and deletions) as indicated in this subsection, except when the claim is being canceled. Each amendment document that includes a change to an existing claim, cancellation of an existing claim or addition of a new claim, must include a complete listing of all claims ever presented, including the text of all pending and withdrawn claims, in the application. The claim listing, including the text of the claims, in the amendment document will serve to replace all prior versions of the claims, in the application. **In the claim listing, the status of every claim must be indicated after its claim number by using one of the following identifiers in a parenthetical expression: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New), and (Not entered).**

(1) *Claim listing*. All of the claims presented in a claim listing shall be presented in ascending numerical order. Consecutive claims having the same status of “canceled” or “not entered” may be aggregated into one statement (e.g., Claims 1–5 (canceled)). The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment.

(2) *When claim text with markings is required*. All claims being currently amended in an amendment paper shall be presented in the claim listing, indicate a status of “currently amended,” and be submitted with markings to indicate the changes that have been made relative to the immediate prior version of the claims. The text of any added subject matter must be shown by underlining the added text. The text of any deleted matter must be shown by strike-through except that double brackets placed before and after the deleted characters may be used to show deletion of five or fewer consecutive characters. The text of any deleted subject matter must be shown by being placed within double brackets if strike-through cannot be easily perceived. Only claims having the status of “currently amended,” or “withdrawn” if also being amended, shall include markings. If a withdrawn claim is currently amended, its status in the claim listing may be identified as “withdrawn—currently amended.”

(3) *When claim text in clean version is required*. The text of all pending claims not being currently amended shall be presented in the claim listing in clean version, i.e., without any markings in the presentation of text. The presentation of a clean version of any claim having the status of “original,” “withdrawn” or “previously presented” will constitute an assertion that it

Art Unit: 2645

has not been changed relative to the immediate prior version, except to omit markings that may have been present in the immediate prior version of the claims of the status of "withdrawn" or "previously presented." Any claim added by amendment must be indicated with the status of "new" and presented in clean version, *i.e.*, without any underlining.

(4) *When claim text shall not be presented; canceling a claim.*

(i) No claim text shall be presented for any claim in the claim listing with the status of "canceled" or "not entered."

(ii) Cancellation of a claim shall be effected by an instruction to cancel a particular claim number. Identifying the status of a claim in the claim listing as "canceled" will constitute an instruction to cancel the claim.

(5) *Reinstatement of previously canceled claim.* A claim which was previously canceled may be reinstated only by adding the claim as a "new" claim with a new claim number.

Examiner waives the rule 37 CFR 1.121(c) for the current amendment in order to speed up the process of the application. However, applicant must comply the rule when a new amendment is filed.

Claim Objections

1. Claim 71 recites "the switching circuitry". There is insufficient antecedent basis for this limitation in the claim.

Drawings

2. The drawings are objected to because proper legends, for example (not intended to be a complete listing), item 1402 Fig. 14 were missing. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 20 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The phrase "single processing means" is not clearly defined. It is unclear what is referred by the claimed "single processing means".

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

4. Claims 1-3, 12, 18, 20, 24-27, 70-73 are rejected under 35 U.S.C. 102(e) as being anticipated by Heidari (US: 5790957).

For claims 1, 2, regarding ‘switching circuit.....telecommunications device’, Heidari teaches on Abstract – “switching circuitry operative under control of a microcontroller”. Heidari teaches on Fig. 1 a plurality of telecommunications devices. Heidari teaches on column 3 line 35-62, column 5 line 49 to column 8 line 43 the switching circuitry connects the call to one device (digital receive, item 44 Fig. 1, or analog receive, item 46 Fig. 1) based on the information accompanying the call that the call is either an analog call or a digital call. The switching circuitry (item 60 Fig. 1) can also connects the call to the speaker (item 14 Fig. 1)

Art Unit: 2645

based on the information accompanying the call that the call is an incoming call and the recipient is available. The switching circuitry (item 84 or 86 Fig. 1) connects the memory in accordance with information accompanying the call that the call is either inputting or outputting data from the memory.

Regarding “voice processing.....one microprocessor”, Heidari teaches on column 4 line 30-32 DSP under control of a microcontroller. The DSP is the claimed “voice processing circuitry”. Both the switching circuitry and the voice processing circuitry are controlled by the “a microcontroller” (claimed “not more than one microprocessor”).

Regarding claim 18, Heidari teaches on column 1 line 63-66 recording the incoming and outgoing speech while the person utilizing the telephone is able to maintain the conversation (reads on the claimed “off-hook state”).

Regarding claim 19, Heidari teaches on column 1 line 62-66 pushing a key (reads on claimed “manually pressing a button”) to record the speech.

Regarding claim 20, Heidari teaches on column 6 line 3-8, item 74 Fig. 1 vocoder (claimed “recording buffer”).

Regarding claims 24, 25, Heidari teaches on item 14 Fig. 1 speaker (claimed “circuitry for listening to a voice signal”).

Art Unit: 2645

Heidari teaches on column 1 line 62-66 pushing a key (claimed “circuitry for activating”) to record the speech.

Heidari teaches on item 76 memory (claimed “circuitry for storing the recorded voice signal”).

Regarding claim 26, Heidari teaches on column 5 line 49-51 the voice signal from a distant telephone (reads on “a caller”).

Regarding claim 73, Heidari teaches on column 11 line 63-67, column 12 line 26-33 DTMF tone about the call is for forwarding, reversing, or playing messages.

Regarding claims 3, 70, all rejections as stated in claim 1 above apply.

Regarding “the switching circuitry further comprises a digital cross-point matrix”, Heidari teaches on items 60, 64, 66, 68 switching circuitry comprises a digital cross-point matrix.

Regarding claim 12, all rejections as stated in claim 1 above apply.

Regarding “the signal processing circuitry further includes a DTMF receiver, Heidari teaches on item 26 Fig. 1 DSP, item 88 Fig. 1 decoder for detection of DTMF tones. The combination of the DSP and the decoder is the claimed “signal processing circuitry”.

Regarding claims 27, 71, all rejections as stated in claims 1, 24, 25, 26 above apply.

Regarding claim 72, all rejections as stated in claims 1 and 18 above apply.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 74, 77 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari as applied to claim 1 above, and in view of Smith (US: 6597924). Heidari failed to teach “the call.....trunk line”. However, Smith teaches on Fig. 1 and Fig. 2 a mobile telephone interfaces with central office trunk via cellular switch’s CO trunk interface. It would have been obvious to one skilled at the time the invention was made to modify Heidari to have the “the call.....trunk line” as taught by Smith such that the modified system of Heidari would be able to support the call received from a central office trunk line to the system users.

6. Claims 6, 58-61, 69, 75, 76, 79, 81, 82 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari, and in view of Alfred (US: 6393275).

For claims 6, 58, 61, 69, 76, 79, 81 all rejections as stated in claim 1 above apply.

Art Unit: 2645

Heidari failed to teach “connects the incoming call to a telecommunications device coupled to the system from among a plurality of telecommunications devices connected as telephone extensions”. However, Alfred teaches on Abstract and column 1 line 40-52 a plurality of cellular phones share with one number. These cellular phones serve as a parent and extension relationship by using one telephone number. The caller selects a specific extension cellular phone for the call connection.

It would have been obvious to one skilled at the time the invention was made to modify Heidari to have the “connects the incoming call to a telecommunications device coupled to the system from among a plurality of telecommunications devices connected as telephone extensions” as taught by Alfred such that the modified system of Heidari would be able to support the connecting the incoming call to a device among a plurality of devices to the system users.

Regarding claim 59, Heidari teaches on column 1 line 62-66 pushing a key (claimed “circuitry for activating”) to record the speech.

Regarding claim 60, Heidari teaches on column 5 line 49-51 the voice signal from a distant telephone (reads on “a caller”).

Regarding claim 82, Heidari teaches on column 11 line 63-67, column 12 line 26-33 DTMF tone about the call is for forwarding, reversing, or playing messages.

Regarding claim 75, Heidari in view of Alfred as stated in claim 6 failed to teach “the call.....is directed”. However, Alfred teaches on column 7 line 31 to column 8 line 13 a call from an extension (claimed “external to the system”) to another extension by pressing the numbers on the cellular phone (reads on claimed “DTMF tones”).

It would have been obvious to one skilled at the time the invention was made to modify Heidari to have the “the call.....is directed” as taught by Alfred such that the modified system of Heidari would be able to support the connecting the call by DTMF information to the system users.

7. Claims 78, 80 are rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari as applied to claim 1 above, and in view of Alfred, Smith (US: 6597924). Heidari in view of Alfred as stated in claim 58 above failed to teach “the external.....trunk line”. However, Smith teaches on Fig. 1 and Fig. 2 a mobile telephone interfaces with central office trunk via cellular switch’s CO trunk interface. It would have been obvious to one skilled at the time the invention was made to modify Heidari, Alfred to have the “the external.....trunk line” as taught by Smith such that the modified system of Heidari, Alfred would be able to support the call received from a central office trunk line to the system users.

8. Claim 83 is rejected under 35 U.S.C. 103(a) as being unpatentable over Heidari as applied to claim 1 above, and in view of Alfred (US: 6393275), Smith (US: 6597924).

Regarding “a single.....switching circuitry.....microprocessor”, rejections as stated in claim 1 above apply.

Art Unit: 2645

Heidari failed to teach “a trunk.....trunk circuitry”. However, rejection as stated in claim 74 above apply.

Heidari failed to teach “a plurality of telephone extensions.....of the telephone extensions”, rejections as stated in claim 58 above apply.

It would have been obvious to one skilled at the time the invention was made to modify Heidari to have the “a trunk.....trunk circuitry”, “a plurality of telephone extensions.....of the telephone extensions” as taught by Smith, Alfred such that the modified system of Heidari would be able to support the central office trunk line and telephone extensions to the system users.

Conclusion

9. The prior art made of record and not replied upon is considered pertinent to applicant's disclosure.

- Sharma et al (US: 5452289) teach computer-based multifunction personal communications system.

10. Any inquiry concerning this application and office action should be directed to the examiner Ming Chow whose telephone number is (703) 305-4817. The examiner can normally be reached on Monday through Friday from 8:30 am to 5 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang, can be reached on (703)

Art Unit: 2645

305-4895. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Customer Service whose telephone number is (703) 306-0377. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to Central FAX Number 703-872-9306.

Patent Examiner

Art Unit 2645

Ming Chow



FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

